

WEBB COUNTY, TEXAS

COMMISSIONERS COURT AGENDA

LOUIS H. BRUNI

Webb County Judge (956) 523-4600

JERRY VASQUEZ

Commissioner, Precinct 1 (956) 523-4617

JUDITH G. GUTIERREZ

Commissioner, Precinct 2 (956) 523-4624

FELIX VELASOUEZ

Commissioner, Precinct 3 (956) 523-4625

DAVID R. CORTEZ

Commissioner, Precinct 4 (956) 523-4653

MARGIE IBARRA

Webb County Clerk (956) 523-4251

HOMERO RAMIREZ

Webb County Attorney (956) 523-4044

LEO FLORES

Webb County Auditor (956) 523-4016

PUBLIC NOTICE

COMMISSIONERS COURT MEETING WEBB COUNTY COURTHOUSE 1000 HOUSTON STREET, 2ND FLOOR LAREDO, TEXAS 78040

January 26, 2004

1:00 p.m.

- 1. CALL TO ORDER BY JUDGE, LOUIS H. BRUNI
- 2. ROLL CALL BY MARGIE IBARRA, COUNTY CLERK
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF MINUTES FOR JANUARY 12, 2004.
- 5. APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS
- 6. COMMUNICATIONS
- **7. PUBLIC COMMENT-** This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

LOUIS H. BRUNI, WEBB COUNTY JUDGE

- **8.** Presentation by McWilliams and Associates, by Andrea McWilliams, Webb County Governmental Affairs Consultant.
- **9.** Status report on Carrizo-Wilcox Aquifer Water Well # 1 with possible action.

JUDITH GUTIERREZ, COMMISSIONER PRECINCT 2

10. Discussion and possible action to authorize Washington's Birthday Celebration Association the use of County property on Highway 59, known as the CLEAR shooting range, on Sunday, February 15, 2004, for the purpose of a fireworks display.

FELIX VELASQUEZ, COMMISSIONER PRECINCT 3

11. Status report on the construction of the Justice of the Peace Building in South Laredo.

MEDIA BREAK - FIFTEEN MINUTES COURT RECESS

COMMUNITY ACTION AGENCY

12. Discussion and possible action to approve amended budget for the Weatherization Program, Department of Energy (DOE) and Low Income Heating/Energy Assistance Program (LIHEAP) grants, FY 2003-2004.

13. Discussion and possible action to adopt changes to bylaws governing the Community Action Agency Advisory Board. The two changes now provide that Category "B" Advisory Board Alternates must be elected rather than appointed as prescribed by CSBG Policy Issuance No. 2002-2.3, (page 2), and that written notice shall be mailed to the member who misses two consecutive meetings by registered return receipt requested mail to notify him/her of their attendance status (page 6). Proposed revisions are found in ITALICS.

COUNTY ATTORNEY

- 14. Discussion and possible action to enter into a construction contract with Jimmy Closner Construction Co., Inc., in the amount of ONE MILLION FOUR HUNDRED NINETY-THREE THOUSAND NINETEEN DOLLARS AND EIGHTY SEVEN CENTS (\$1,493,019.87) for water distribution system improvements for the Webb County Utility Department within the City of El Cenizo, subject to final approval of the Contactor and the County Attorney, and authorizing the County Judge to sign all relevant documents.
- 15. Discussion and possible action to enter into a construction contract with Jimmy Closner Construction Co., Inc., in the amount of ONE MILLION TWENTY-SIX THOUSAND SIX HUNDRED NINETY-THREE DOLLARS AND NINETY-SEVEN CENTS(\$1,026,693.97) for replacements of waterlines for the Webb County Utility Department within the City of Rio Bravo, subject to final approval of the Contactor and the County Attorney, and authorizing the County Judge to sign all relevant documents.
- 16. Discussion and possible action to enter into a construction contract with Ramos Industries, Inc., in the amount of ONE MILLION TWO HUNDRED FORTY THOUSAND FIVE HUNDRED FORTY DOLLARS (\$1,240,540.00) for improvements to the wastewater collection system for the Webb County Utility Department within the City of El Cenizo, subject to final approval of the Contactor and the County Attorney, and authorizing the County Judge to sign all relevant documents.
- 17. Discussion and possible action to enter into a construction contract with FMG Contracting Company, L.L.C., for the construction of new Justice of the Peace Courthouse building in South Laredo in the amount of EIGHT HUNDRED NINETY-SEVEN THOUSAND SIX HUNDRED NINETY-TWO DOLLARS (\$897,692.00)

18. Discussion and possible action to enter into Third Party Funding Agreements:

Habitat for Humanity	\$20,000.00
S.C.A.N.	\$ 5,000.00
Literacy Volunteers of America	\$ 1,500.00
American G.I. Forum	\$ 1,000.00
Society of Martha Washington (Hotel/Motel)	\$ 5,000.00

and authorizing the County Judge to execute all relevant documents.

- 19. Discussion and possible action to enter into a Software License/Customer Support Agreement and Hardware Maintenance Agreement with Megatronics International Corporation (MTI), for the Fuel Management System installed at the Webb County Road and Bridge Facility to be effective January 1, 2004 through December 31, 2005 in an annual amount of FOUR THOUSAND SEVEN HUNDRED AND FORTY-TWO DOLLARS (\$4,742.00) for a total cost of NINE THOUSAND FOUR HUNDRED AND EIGHTY FOUR DOLLARS (\$9,484.00) over the term of the Agreement, seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a) (7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Road and Bridge Department, Account No. 010-7001-6402 Repairs and Maintenance Equipment].
- 20. Discussion and possible action to order the sale of tax foreclosed property, titled in the name of Webb County, Trustee, located at 2419 Barrios, (being Lot 6 and E1/2 of lot 5, Block 1428 ED City of Laredo) and authorizing the Sheriff to conduct the sale in the manner prescribed by the Texas Rules of Civil Procedure for the sale of property under execution and authorizing the County Judge to sign all relevant documents.
- 21. Discussion and possible action to enter into a Memorandum of Understanding with the Children's Advocacy Center of Laredo-Webb County to administer the Safe Havens: Supervised Visitation and Safe Exchange Grant Program in the amount of THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000.00) for a period of two years (October 1, 2003 – September 30, 2005), awarded to Webb County by the U.S. Department of Justice, and authorizing the County Judge to sign all relevant documents.

COUNTY ENGINEER

- 22. Discussion and possible action approving Work Authorization No. 1 to Mejia Engineering's Contract in the amount of \$64,100.00, for the platting of twenty-three residential lots of Colonia Los Corralitos. [Account # 664-7101-8002 Land Acquisition Certificates of Obligation Series 2003]
- 23. Discussion and possible action approving final pay request and retainage to Jimmy Closner & Sons Construction Co. in the amount of \$34,796.20, for the Colonia Los Corralitos Water Improvement Project TCDP No. 720889. [Account # 650-8001-8701 Water Facilities]
- 24. Discussion and possible action authorizing the County Engineer and the Purchasing Agent to initiate the surveys required and the legal work required to widen 0.3 miles of Thiesel Road by 20 feet. [Account # 661-7501-8621-05 Thiesel Road and Account # 664-7101-8002 Land Acquisition Certificates of Obligation Series 2003]
- **25.** Discussion and possible action authorizing the creation of a County Emergency Management Program.
- 26. Discussion and possible action to grant an easement to Medina Electric for the Self Help Center for the purpose of the construction and maintenance of approximately 700 feet of "Primary Distribution Electrical Line" and to execute a "Membership & Purchase Power Agreement" in the amount of \$6,207.10. [Account # 504-6500-8707 Neighborhood Facilities]
- **27.** Discussion and possible action to amend the Texas Water Development Fund 648 budget:

From: Account # 8006-6791-3 --- 5% Contingency -- \$141,000.00 To: Account # 8005-6099-6 --- Project Management -- \$141,000.00

28. Discussion and possible action authorizing the County Engineer and the Purchasing Agent to initiate the surveys required and the legal work required to accept the conveyance of Lot # 14, Block # 19, Rio Bravo Subdivision, for the purpose of providing the installation of water lines and a storm drainage structure. [Lot to be donated by owner]

29. Discussion and possible action accepting a utility easement from United Independent School District (UISD) which was obtained by the District for the purpose of the installation of the wastewater line to provide service to Juarez Lincoln Elementary School.

ECONOMIC DEVELOPMENT

- 30. Discussion and possible action to approve a Resolution and Order authorizing the following County Officials: Honorable Louis H. Bruni, Honorable Judith G. Gutierrez, and Honorable Gerardo "Jerry" Vasquez to be designated as authorized signatories for draw downs for grant funded projects as set forth herein for the Texas Department of Housing and Community Affairs Home Program Contract # 1000038, and Office of Rural Community Affairs, Texas Community Development Program (TCDP) Contracts # 722961 and # 719000.
- **31.** Discussion and possible action to approve final plans and specs for the Rio Bravo Community Park from Architectura S.A., Inc. and to authorize the Purchasing Agent to solicit construction bids, and authorizing the County Judge to sign all relevant documents.

ELECTIONS

- **32.** Discussion and possible action to adopt a resolution authorizing a joint primary contract by and among the Democratic Party County Chair, the Republican Party County Chair and the County Elections Officer for the conduct and supervision of the Webb County Joint Primary Election on March 9, 2004 and runoff election, if necessary, on April 13, 2004 pursuant to Section 172.126.
- **33.** Discussion and possible action to adopt a resolution authorizing and establishing the main and temporary branch early voting polling sites for the March 9, 2004 Joint Primary Elections within Webb County, Texas Pursuant to Chapter 85, Texas Election Code.
- **34.** Discussion and possible action to adopt Webb County Voting Precinct changes and polling place designation, as mandated by SB 1374C (redistricting plan) and federal court order in Sessions v. Perry CA, 2:03cv354.

HEADSTART

- **35.** Discussion and possible action to fill slot # 2187 and 2033, full-time AA Teacher (40 hrs/week for 10 months) at \$20,072, effective January 27, 2004.
- **36.** Discussion and possible action to fill slot # 1702 and 1700 part-time substitute teacher (15 hours/week for 10 months) at \$4,646, effective January 27, 2004.

PURCHASING AGENT

- **37.** Discussion and possible action to purchase the following vehicles through the Houston Galveston Area Council for the Road and Bridge Department.
 - 1. One Dump Truck H-GAC #HT11-03 for \$73,631.00
 - 2. One Water Truck H-GAC #HT11-03 for \$96,450.00
 - 3. Four Haul Trucks H-GAC #HT11-03 for \$345,924.00
 - 4. Three Dump Trailers H-GAC #TR02-02, \$96,678.00

[Account # 661-7501-8801 Capital Outlay Road and Bridge Improvements Certificates of Obligation Series 2003]

38. Discussion and possible action to donate the following salvage property of Webb County to the City Hall (Precidencia Municipal) of Pesqueria, Nuevo Leon:

Forty personal computers; and the following vehicles:

Power box (asphalt paver) Serial No. 80D1920 TAG # 4504 1975 Oshkosh Fire Engine Serial No.15048 MD#M-1500 1998 Explorer VIN # 1FMUD32X5NUD30178 Dodge D 600 168-1577535 Chevy VIN # 3GCEC30K1SM105282 1987 Ford Astro Van LIC # 713986 VIN # 1FMCA1V6HZA09709 1974 Mercury VIN # AL54MT318888

39. Discussion and possible action to purchase five (5) Powerconnect 5000 Series Switches 24 Port Gigabit with 10/100/100 capability on all 24 Ports for the Juvenile Justice Alternative Educational Program. [Account # 149-1301-6020 Educational Supplies]

- 40. Discussion and possible action to obtain the services of Fleetpride for the removal and replacement of Engine Block, Turbo and Injectors for a 1995 fuel truck (unit # 1070) in the amount of \$7,499.00 for the Road and Bridge Department. [Account # 010-7002-6403 Repairs and Maintenance Vehicles]
- **41.** Discussion and possible action to purchase parts needed for Hydra Jet Machine (Trailer Mounted Sewer Cleaners) from Texas Underground in the amount of \$8,846.50 for the Water Utilities Department. [Account # 645-8001-6022 Professional Services Rio Bravo Sewer Project]
- **42.** Discussion and possible action to award/reject the following bids:
 - Bid No. 2004-34 uniforms for Sheriffs Department recommendations for uniforms, Sterling's and footwear – primary vendor - Gateway Uniform Service, Inc. and secondary vendor - Sterling's.
 - 2. Bid No. 2004-37 audio and video equipment for Commissioners Court.
 - 3. Bid No. 2004-38 fifty-five computers and thirteen printers.
 - 4. Bid No. 2004-39 IBM parts to upgrade I Series Server.
- **43.** Discussion and possible action to award/reject the following proposal No. P-04-02 "Food Commodities."
- **44.** Discussion and possible action to obtain cellular services for the District Clerk, Manuel Gutierrez from U.S. Cellular.

RISK MANAGEMENT

45. Discussion and possible action to approve repairs of the District Attorney's Unit (1999 Volkswagon Jetta) in the amount of \$1,600.60 for damages resulting from a motor vehicle accident which occurred on or about December 16, 2003. [Account # 001-0105-9201 Claims Paid]

ROAD AND BRIDGE

46. Discussion and possible action to fill slot # 0677 - Maintenance Aide - at \$8.29 per hour.

TREASURER

47. Discussion and possible action to approve Fiscal Year 2003-04 payments to JP Morgan Chase Bank in the amount of \$127,593 for principal (\$35,000), interest (\$86,975) and paying agent fees (\$5,618) for the \$1,530,000 Certificates of Participation, Series 1997 (Court Residential Treatment Center). [Account # 600-9001-9033 Principal, 600-9002-9034 Interest and 600-9002-9064 Paying Agent Fees Debt Service Fund]

EXECUTIVE SESSION

- 48. Discussion and possible action regarding employment grievance of Juanita Puente and regarding Cause No. 2003-CVQ-001964-D2; <u>Juanita Puente vs. Webb County</u>; In the 111th Judicial District Court of Webb County, Texas. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).
- 49. Discussion and possible action regarding adjustment to pay for part time and/or temporary employees as a result of any clarification to Webb County Personnel Policies Manual concerning holidays, leave time, and other benefits. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).
- 50. Discussion and possible action regarding amendment of Webb County Personnel Policies Manual to clarify issues of benefits, holidays, and other leave periods for various categories of employees as described in § 5.01 of the manual. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).
- 51. Discussion and possible action regarding request of the Quad City Community Action Program to use the Quad City Community Center on January 27, 2004 to host a "Get to Know Your Candidate Night." Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).

- 52. Discussion and possible action regarding employment grievance of Jose Gutierrez. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney).
- 53. Adjournment.

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

♣ DISABILITY ACCESS STATEMENT **♣**

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

DATED THIS DAY OF JANUARY 2004.		
By: Louis H. Bruni County Judge		
CERTIFICATION OF NOTICE AND POSTI	<u>NG</u>	
I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the day of, 2004 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.		
DATED THIS DAY OF	, 2004	
COUNTY CLERK, WEBB COUNTY, TEXAS		
BY:		